

AMENDED IN ASSEMBLY APRIL 9, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 377

Introduced by Assembly Member Grove
(Principal coauthor: Assembly Member Olsen)

February 14, 2013

An act to amend Section 51747.3 of the Education Code, relating to charter schools.

LEGISLATIVE COUNSEL’S DIGEST

AB 377, as amended, Grove. Charter schools: average daily attendance: independent study: online charter schools.

Existing law requires community school and independent study average daily attendance to be claimed by school districts, county superintendents of schools, and charter schools only for pupils who are residents of the county in which the apportionment claim is reported or pupils who are residents of a county immediately adjacent to the county in which the apportionment claim is reported.

This bill would authorize a virtual or online charter school, as defined, to claim independent study average daily attendance for pupils who are residents of the county in which the apportionment is reported, or who are residents of any other county in the state.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 51747.3 of the Education Code is
2 amended to read:

1 51747.3. (a) Notwithstanding any other law, a local educational
2 agency, including, but not limited to, a charter school, may not
3 claim state funding for the independent study of a pupil, whether
4 characterized as home study or otherwise, if the agency has
5 provided any funds or other thing of value to the pupil or his or
6 her parent or guardian that the agency does not provide to pupils
7 who attend regular classes or to their parents or guardians. A
8 charter school may not claim state funding for the independent
9 study of a pupil, whether characterized as home study or otherwise,
10 if the charter school has provided any funds or other thing of value
11 to the pupil or his or her parent or guardian that a school district
12 could not legally provide to a similarly situated pupil of the school
13 district, or to his or her parent or guardian.

14 (b) (1) Notwithstanding paragraph (1) of subdivision (d) of
15 Section 47605 or any other ~~provision of law~~, community school
16 and independent study average daily attendance shall be claimed
17 by school districts, county superintendents of schools, and charter
18 schools only for pupils who are residents of the county in which
19 the apportionment claim is reported, or who are residents of a
20 county immediately adjacent to the county in which the
21 apportionment claim is reported, except as provided in paragraph
22 (2).

23 (2) Notwithstanding paragraph (1), a virtual or online charter
24 school, as defined in Section 11963.5 of Title 5 of the California
25 Code of Regulations, may claim independent study average daily
26 attendance for pupils who are residents of the county in which the
27 apportionment is reported, or who are residents of any other county
28 in the state.

29 (c) The Superintendent shall not apportion funds for reported
30 average daily attendance, through full-time independent study, of
31 pupils who are enrolled in school pursuant to subdivision (b) of
32 Section 48204.

33 (d) In conformity with Provisions 25 and 28 of Section 2.00 of
34 the Budget Act of 1992, this section is applicable to average daily
35 attendance reported for apportionment purposes beginning July 1,
36 1992. The provisions of this section are not subject to waiver by
37 the state board, by the ~~State~~ Superintendent, or under any provision
38 of Part 26.8 (commencing with Section 47600).

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